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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/686,469 | 10/15/2003 | James Allen Carroll | 01720.0001-US-01 | 7807 |
| 24113 | 7590 | 03/24/2005 | EXAMINER | |
| PATTERSON, THUENTE, SKAAR & CHRISTENSEN, P.A. 4800 IDS CENTER 80 SOUTH 8TH STREET MINNEAPOLIS, MN 55402-2100 | | | ARBES, CARL J | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3729 | |

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/686,469

Applicant(s)

CARROLL, JAMES ALLEN

Examiner

C. J. Arbes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-13,19 and 20 is/are rejected.
- 7) ☒ Claim(s) 2 and 14-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date herein.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Applicant's response to the Office's Restriction which was mailed on or about 28 January 2005 has been carefully reviewed. The Restriction is held to be proper.

An Action of the merits of Claims 1-20 is now provided.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language.

Applicant recites ...A system of re-usable prefabricated.. and thereafter recites a plurality of method steps which are supposed to particularly point out and distinctly claim Applicant's system. The Examiner is at a loss to understand what protection is actually being sought. Therefore it is held the these claims do not define the metes and bounds of any invention which can be understood. Moreover these claims alternatively are held to be unclear, vague and indefinite also under the same part of the Statute viz. 35 USC 112 (2nd Para) As specifically applied to claim 11 Applicant recites ... The method of Claim 9... when Claim 9 recites... The system of Claim 8... . There appears to be some confusion as to what applicant intends to claim.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-6, 12, 13, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE 201 17 317 U1 (Gebrauchsmusterschrift) ; hereinafter '317 in

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view of applicant's admitted prior art or vice versa. The admitted prior art teaches the use of RJ-45 connectors for use in network cabling installations wherein a network cable is connected to sub-components (which has a wire guide (Cf. 221-228)) which immobilizes conductors and runs along a continuous path through conduits and the like between first and second network interfaces to thereby permit communication between first and second network interfaces. The '317 teaches a immobilizing each of a plurality of conductors within a sub-component (denoted as 2 in the '317) for maintaining the conductors in a predetermined special relationship to each other wherein the sub-component is permitted also to pass through conduits and the like. The sub-components are joined to a first and second network component (e.g. at opposite ends since the '317 teaches that the element 2 is connected to the main plug body (1) or e.g. an RJ-45 connector. As applied to claim 13 it is old in this art to bundle a plurality of cables in a single cable group and placing the sub-component so that no sub-component is at the same point along the bundle's longitudinal extent. As applied to claim 19 it is seen at least in Figure 3 of the '317 that there is a strain relief portion to prevent removal of conductors from the subcomponent.

Claims 2 and 14-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. J. Arbes whose telephone number is 571-272-4563. The examiner can normally be reached on M, T, R and F from 8 to 6.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, P. Vo, can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



C. J. Arbes
Primary Examiner
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